

# Permitting decisions

## Bespoke permit

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We have decided to grant the permit for Scampston Pig Unit operated by J.S.R. Farms Limited.

The permit number is EPR/GP3101LS.

We consider in reaching that decision we have taken into account all relevant considerations and legal requirements and that the permit will ensure that the appropriate level of environmental protection is provided.

### Purpose of this document

This decision document provides a record of the decision making process. The decision checklist summarises the decision making process to show how all relevant factors have been taken in to account.

This decision document provides a record of the decision making process. It:

- highlights [key issues](#) in the determination;
- summarises the decision making process in the [decision checklist](#) to show how all relevant factors have been taken into account; and
- shows how we have considered the [consultation responses](#).

Unless the decision document specifies otherwise we have accepted the Applicant's proposals.

Read the permitting decisions in conjunction with the environmental permit. The introductory note summarises what the permit covers.

# Key issues of the decision

## New Intensive Rearing of Poultry or Pigs BAT Conclusions document

The new Best Available Techniques (BAT) Reference document (BREF) for the Intensive Rearing of Poultry or Pigs (IRPP) was published on the 21st February 2017. There is now a separate BAT Conclusions document which sets out the standards that permitted farms will have to meet.

The BAT Conclusions document is as per the following link:

<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32017D0302&from=EN>

Now the BAT Conclusions are published, all new installation farming permits issued after the 21<sup>st</sup> February 2017 must be compliant in full from the first day of operation.

There are some new requirements for permit holders. The Conclusions include BAT-Associated Emission Levels (BAT-AELs) for ammonia emissions, which will apply to the majority of permits, as well as BAT-AELs for nitrogen and phosphorous excretion.

For some types of rearing practices, stricter standards will apply to farms and housing permitted after the new BAT Conclusions were published.

## New BAT Conclusions review

There are 34 BAT conclusion measures in total within the BAT conclusion document dated 21<sup>st</sup> February 2017.

The Applicant has confirmed their compliance with all BAT conditions for the new installations in their document reference 'Non-Technical Summary' which has been referenced in Table S1.2 Operating Techniques of the permit.

The following is a more specific review of the measures the Applicant has applied to ensure compliance with the above key BAT measures:

BAT measure	Applicant compliance measure
BAT 3 Nutritional management - Nitrogen excretion	<p>The Applicant has confirmed it will demonstrate that the installation achieves levels of Nitrogen excretion below the required BAT-AEL of 4 kg N/animal place/year (for weaners) and 13 kg N/animal place/year (for production pigs) by an estimation using manure analysis for total Nitrogen content.</p> <p>The Applicant has confirmed their compliance with all BAT conditions for in their document reference 'Non-Technical Summary', which has been referenced in Table S1.2 Operating Techniques of the Permit.</p> <p>Table S3.3 of the permit concerning process monitoring requires the Operator to undertake relevant monitoring that complies with these BAT Conclusions.</p>
BAT 4 Nutritional management - Phosphorous excretion	<p>The Applicant has confirmed it will demonstrate it achieves levels of Phosphorus excretion below the required BAT-AEL of 2.2kg P<sub>2</sub>O<sub>5</sub> animal place/year and 5.4kg P<sub>2</sub>O<sub>5</sub> animal place/year (for weaners and production pigs) by an estimation using manure analysis for total Phosphorus content.</p> <p>The Applicant has confirmed their compliance with all BAT conditions for in their document reference 'Non-Technical Summary', which has been referenced in Table S1.2 Operating Techniques of the Permit.</p> <p>Table S3.3 of the Permit concerning process monitoring requires the Operator to</p>

BAT measure	Applicant compliance measure
	undertake relevant monitoring that complies with these BAT Conclusions.
BAT 24 Monitoring of emissions and process parameters - Total nitrogen and phosphorous excretion	Table S3.3 Process monitoring requires the operator to undertake relevant monitoring that complies with these BAT conclusions.
BAT 25 Monitoring of emissions and process parameters - Ammonia emissions	Table S3.3 of the Permit concerning process monitoring requires the Operator to undertake relevant monitoring that complies with these BAT Conclusions.
BAT 26 Monitoring of emissions and process parameters - Odour emissions	The approved odour management plan (OMP) includes the following details for on Farm Monitoring and Continual Improvement: <ul style="list-style-type: none"> <li>• Odour is assessed daily by the operator.</li> <li>• Visual (and nasal) inspections of potentially odorous activities will be carried out.</li> <li>• The effectiveness of odour control measures will be reviewed at least once a year or sooner in the event of any complaint or relevant changes to operations.</li> <li>• Neighbours will be informed (where necessary) prior to activities which may cause odour.</li> </ul>
BAT 27 Monitoring of emissions and process parameters - Dust emissions	Table S3.3 Process monitoring requires the operator to undertake relevant monitoring that complies with these BAT conclusions.  The Applicant has confirmed they will report the dust emissions to the Environment Agency annually by multiplying the dust emissions factor for the respective pig types by the number of pigs on site. This is referenced in document reference 'Non-Technical Summary', which has been referenced in Table S1.2 Operating Techniques of the Permit.
BAT 30 Ammonia emissions from pig houses	The Applicant has confirmed it will demonstrate it achieves levels of ammonia below the required BAT-AEL for the following pig types: Pigs 7 – 30kg: 0.7 kg NH <sub>3</sub> /animal place/year. Pigs > 30kg (FSF): 2.6 kg NH <sub>3</sub> /animal place/year. Pigs > 30kg (Solid floor – straw system): 5.65 kg NH <sub>3</sub> /animal place/year.  The Installation does not include an air abatement treatment facility, hence the standard emission factors comply with the BAT AEL.

### **More detailed assessment of specific BAT measures**

#### **Ammonia emission controls**

A BAT Associated Emission Level (AEL) provides us with a performance benchmark to determine whether an activity is BAT.

## **Ammonia emission controls – BAT conclusion 30**

The new BAT Conclusions include a set of BAT-AEL's for ammonia emissions to air from animal housing for pigs.

### **More detailed assessment of AEL's**

#### **Pig housing**

Not all current emission factors are lower than the relevant BAT AEL. The standard emission factor for pigs >30kg on FSF with a vacuum system is 3.11, whereas the BAT AEL is 2.6. However, we have used an emission factor of 2 – this assumes that slurry depth below the slats is less than 800mm and that slurry is removed at a frequency of 12 weeks or less. This has been confirmed by the applicant.

## **Industrial Emissions Directive (IED)**

The Environmental Permitting (England and Wales) (Amendment) Regulations 2013 were made on the 20 February and came into force on 27 February 2013. These Regulations transpose the requirements of the IED.

This permit implements the requirements of the European Union Directive on Industrial Emissions.

### **Groundwater and soil monitoring**

As a result of the requirements of the Industrial Emissions Directive, all permits are now required to contain a condition relating to protection of soil, groundwater and groundwater monitoring. However, the Environment Agency's H5 Guidance states **that it is only necessary for the operator to take samples** of soil or groundwater and measure levels of contamination where there is evidence that there is, or could be existing contamination and:

- The environmental risk assessment has identified that the same contaminants are a particular hazard; or
- The environmental risk assessment has identified that the same contaminants are a hazard and the risk assessment has identified a possible pathway to land or groundwater.

H5 Guidance further states that it is **not essential for the operator** to take samples of soil or groundwater and measure levels of contamination where:

- The environmental risk assessment identifies no hazards to land or groundwater; or
- Where the environmental risk assessment identifies only limited hazards to land and groundwater and there is no reason to believe that there could be historic contamination by those substances that present the hazard; or
- Where the environmental risk assessment identifies hazards to land and groundwater but there is evidence that there is no historic contamination by those substances that pose the hazard.

The site condition report (SCR) for Scampston Pig Unit demonstrates that there are no hazards or likely pathway to land or groundwater and no historic contamination on site that may present a hazard from the same contaminants. **Therefore, on the basis of the risk assessment presented in the SCR, we accept that they have not provided base line reference data for the soil and groundwater at the site at this stage and although condition 3.1.3 is included in the permit no groundwater monitoring will be required.**

## **Odour**

Intensive farming is by its nature a potentially odorous activity. This is recognised in our 'How to Comply with your Environmental Permit for Intensive Farming' EPR 6.09 guidance ([http://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/297084/geho0110brsb-e-e.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/297084/geho0110brsb-e-e.pdf)).

Condition 3.3 of the environmental permit reads as follows:

"Emissions from the activities shall be free from odour at levels likely to cause pollution outside the site, as perceived by an authorised officer of the Environment Agency, unless the Operator has used appropriate

measures, including, but not limited to, those specified in any approved odour management plan, to prevent or where that is not practicable to minimise the odour.”

Under section 3.3 of the guidance an Odour Management Plan (OMP) is required to be approved as part of the permitting process if, as is the case here, sensitive receptors (sensitive receptors in this instance excludes properties associated with the farm) are within 400m of the installation boundary. It is appropriate to require an OMP when such sensitive receptors have been identified within 400m of the installation to prevent or, where that is not practicable, to minimise the risk of pollution from odour emissions.

The risk assessment for the installation provided with the application lists key potential risks of odour pollution beyond the installation boundary. These activities are as follows:

- Odour from feed mixing, delivery and storage
- Odour arising from problems with housing ventilation system
- Manure and slurry management
- Carcase disposal
- Buildings
- Odour arising from manure/slurry spreading

#### Odour Management Plan Review

The operator has provided an OMP and this has been assessed against the requirements of ‘How to Comply with your Environmental Permit for Intensive Farming’ EPR 6.09 (version 2), Appendix 4 guidance ‘Odour Management at Intensive Livestock Installations’ and our Top Tips Guidance and Poultry Industry Good Practice Checklist (August 2013) as well as the site specific circumstances at the Installation. We consider that the OMP is acceptable because it complies with the above guidance, with details of odour control measures, contingency measures and complaint procedures described below.

The Operator is required to manage activities at the Installation in accordance with condition 3.3.1 of the Permit and its OMP. The OMP includes odour control measures, in particular, procedural controls such as manufacture and selection of feed, feed delivery and storage, manure storage, slurry/dirty water storage, cleanliness of yard areas, odour emissions from housing, odour emissions from drinking systems, odour emissions from ventilation, odour emissions from cleanout, odour emissions from carcase storage and disposal, odour emissions from feed storage, odour emission from slurry spreading, odour emissions from dust build up. The operator has identified the potential sources of odour (see risks bullet pointed above), as well as the potential risks and problems, and detailed actions taken to minimise odour including contingencies for abnormal operations.

The OMP also provides a suitable procedure in the event that complaints are made to the Operator. The OMP is required to be reviewed at least every year (as committed to in the OMP) and/or after a complaint is received, whichever is the sooner.

The Environment Agency has reviewed the OMP and considers it complies with the requirements of our H4 Odour management guidance note. We agree with the scope and suitability of key measures but this should not be taken as confirmation that the details of equipment specification design, operation and maintenance are suitable and sufficient. That remains the responsibility of the Operator.

#### Conclusion

We have assessed the OMP and the H1 risk assessment for odour and conclude that the Applicant has followed the guidance set out in H4 Odour management guidance note. Although there is the potential for odour pollution from the Installation, the Operator’s compliance with the Permit and its OMP will minimise the risk of odour pollution beyond the Installation boundary. The risk of odour pollution at sensitive receptors beyond the Installation boundary is therefore not considered significant.

## Noise

Intensive farming by its nature involves activities that have the potential to cause noise pollution. This is recognised in our 'How to Comply with your Environmental Permit for Intensive Farming' EPR 6.09 guidance. Under section 3.4 of this guidance a Noise Management Plan (NMP) must be approved as part of the permitting determination, if there are sensitive receptors within 400m of the Installation boundary.

Condition 3.4 of the Permit reads as follows:

Emissions from the activities shall be free from noise and vibration at levels likely to cause pollution outside the site, as perceived by an authorised officer of the Environment Agency, unless the operator has used appropriate measures, including, but not limited to, those specified in any approved noise and vibration management plan, to prevent or where that is not practicable to minimise the noise and vibration.

There are sensitive receptors within 400 metres of the Installation boundary as stated in the odour section above. The Operator has provided a noise management plan (NMP) as part of the Application supporting documentation, and further details are provided in the section below.

The risk assessment for the Installation provided with the Application lists key potential risks of noise pollution beyond the Installation boundary. These activities are as follows:

- Noise problems from large and small vehicles travelling to and from the farm
- Feed transfer from lorry to bins and tanks
- Large vehicles on site for delivering feed, loading live pigs at end of the growing period, removal of muck and slurry from houses, removal of dirty water from underground tanks
- Operation of fans on the buildings
- Alarm system and standby generator
- Pigs
- Personnel
- Repairs
- Manure/slurry spreading

We have assessed the NMP and the H1 risk assessment for noise and conclude that the Applicant has followed the guidance set out in EPR 6.09 Appendix 5 'Noise management at intensive livestock installations'. We are satisfied that all sources and receptors have been identified, and that the proposed mitigation measures will minimise the risk of noise pollution / nuisance.

### Noise Management Plan Review

A noise management plan (NMP) has been provided by the operator as part of the application supporting documentation.

The NMP also provides a suitable procedure in the event of complaints in relation to noise. The NMP is required to be reviewed at least every year (as committed to in the NMP), however the operator has confirmed that it will be reviewed if a complaint is received, whichever is sooner.

Operations with the most potential to cause noise nuisance have been assessed and control measures put in place for all vehicles accessing the site and manoeuvring around, vehicles and machinery carrying out operations on site. This includes the delivering of feed and birds, and to remove used litter and dirty water. Other operations with the potential to cause noise nuisance for which control measures have been put in place include ventilation fans, feeding equipment, alarm system and stand-by generator, building works and repairs, and animal noise.

We have included our standard noise and vibration condition 3.4.1 in the Permit, which requires that emissions from the activities shall be free from noise and vibration at levels likely to cause pollution outside the site, as perceived by an authorised officer of the Environment Agency, unless the Operator has used appropriate measures, including, but not limited to, those specified in any approved noise and vibration management plan (which is captured through condition 2.3 and Table S1.2 of the Permit), to prevent or where that is not practicable to minimise the noise and vibration.

We are satisfied that the manner in which operations are carried out on the Installation will minimise the risk of noise pollution.

### Conclusion

We have assessed the NMP and the H1 risk assessment for noise and conclude that the Applicant has followed the guidance set out in EPR 6.09 Appendix 5 'Noise management at intensive livestock installations'. We are satisfied that all sources and receptors have been identified, and that the proposed mitigation measures will minimise the risk of noise pollution / nuisance.

## **Dust and Bio aerosols**

The use of Best Available Techniques and good practice will ensure minimisation of emissions. There are measures included within the permit (the 'Fugitive Emissions' conditions) to provide a level of protection. Condition 3.2.1 'Emissions of substances not controlled by an emission limit' is included in the permit. This is used in conjunction with condition 3.2.2 which states that in the event of fugitive emissions causing pollution following commissioning of the installation, the Operator is required to undertake a review of site activities, provide an emissions management plan and to undertake any mitigation recommended as part of that report, once agreed in writing with the Environment Agency.

There is one sensitive receptors within 100m of the installation boundary, the nearest sensitive receptor (the nearest point of their assumed property boundary) is approximately 20 metres to the south of the installation boundary.

The Applicant has provided a dust and bio aerosol risk assessment.

In addition guidance on our website concludes that Applicants need to produce and submit a dust and bio aerosol management plan beyond the requirement of the initial risk assessment, with their applications only if there are relevant receptors within 100 metres of their farm, e.g. the farmhouse or farm worker's houses. Details can be found via the link below:

[www.gov.uk/guidance/intensive-farming-risk-assessment-for-your-environmental-permit#air-emissions-dust-and-bioaerosols](http://www.gov.uk/guidance/intensive-farming-risk-assessment-for-your-environmental-permit#air-emissions-dust-and-bioaerosols).

As there are receptors within 100m of the installation, the Applicant was required to submit a dust and bio aerosol management in this format.

In the guidance mentioned above it states that particulate concentrations fall off rapidly with distance from the emitting source. This fact, together with the proposed good management of the installation (such as keeping areas clean from build-up of dust and other measures in place to reduce dust and the risk of spillages) (e.g. litter and feed management/delivery procedures) all reduce the potential for emissions impacting the nearest receptors. The Applicant has confirmed the following measures in their operating techniques to reduce dust:

- General day-to-day activities
- Emissions from pig feed, including dust from silos
- Emissions from bedding material
- Emissions from slurry/manure
- Emissions from ventilation system
- Emissions from the house cleaning system
- Emissions from general building layout and design

### Conclusion

We are satisfied that the measures outlined in the application will minimise the potential for dust and bioaerosol emissions from the installation.

## Ammonia

The Applicant has demonstrated that the housing will meet the relevant NH<sub>3</sub> BAT-AEL.

There is one Special Area(s) of Conservation (SAC) sites located within 5 kilometres of the installation. There are two Sites of Special Scientific Interest (SSSI) located within 5 km of the installation. There are also three Local Wildlife Site(s) (LWS) within 2 km of the installation.

### Ammonia assessment – SAC

The following trigger thresholds have been designated for the assessment of European sites:

- If the process contribution (PC) is below 4% of the relevant critical level (CL<sub>e</sub>) or critical load (CL<sub>o</sub>) then the farm can be permitted with no further assessment.
- Where this threshold is exceeded an assessment alone and in combination is required.
- An in-combination assessment will be completed to establish the combined PC for all existing farms identified within 5 km of the SAC.

Screening using the ammonia screening tool version 4.6 has determined that the PC on the SAC for ammonia emissions/nitrogen deposition/acid deposition from the application site are under the 4% significance threshold and can be screened out as having no likely significant effect. See results below.

**Table 1 – Ammonia emissions**

Site	Critical level ammonia µg/m <sup>3</sup>	Predicted PC µg/m <sup>3</sup>	PC % of Critical level
River Derwent	3*	0.05	1.7%

\*APIS ([www.apis.ac.uk](http://www.apis.ac.uk)) states seek site specific information for 'water courses of plain to montane levels with the Ranunculion fluitantis and Callitricho-Batrachion vegetation' but that no lichens and bryophytes present; for the other four features (sea lamprey, river lamprey, bullhead, otter) APIS assigns a critical level of 3. Previous correspondance with Natural England confirms to use CL<sub>e</sub>3. Alistair Welsh 27/05/2015: "River Derwent does have associated fen and wet grassland habitat. We do not have any evidence of significant lower plant interest in the habitats associated with the River Derwent."

**Table 2 – Nitrogen deposition**

Site	Critical load kg N/ha/yr. *	Predicted PC kg N/ha/yr.	PC % of critical load
River Derwent	-	-	-

\* APIS does not provide any critical load for nitrogen. The following is from the audited spreadsheet (from NE): "there aren't any site specific loads for Nitrogen and Acidity on the River Derwent SAC: this is due to the mostly aquatic features. The features do contain structural terrestrial components but there aren't any specific loads for these features at current. In this case I would only use the ammonium critical level to determine whether it is LSE on the 'Water courses of plain to montane levels with the Ranunculion fluitantis and Callitricho-Batrachion vegetation."

No critical load has therefore been assigned.

Even using a precautionary critical load of 10, the PC as a % of critical load would be 2.6%, therefore below the 4% threshold.

**Table 3 – Acid deposition**

Site	Critical load keq/ha/yr.*	Predicted PC keq/ha/yr.	PC % of critical load
River Derwent	-	-	-

\* APIS does not provide any critical load for acid. The following is from the audited spreadsheet (from NE): "there aren't any site specific loads for Nitrogen and Acidity on the River Derwent SAC: this is due to the mostly aquatic features. The features do contain structural terrestrial components but there aren't any specific loads for these



features at current. In this case I would only use the ammonium critical level to determine whether it is LSE on the 'Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation.'

No critical load has therefore been assigned.

### **Ammonia assessment – SSSI**

The following trigger thresholds have been applied for assessment of SSSIs:

- If the process contribution (PC) is below 20% of the relevant critical level (CLe) or critical load (CLo) then the farm can be permitted with no further assessment.
- Where this threshold is exceeded an assessment alone and in combination is required. An in-combination assessment will be completed to establish the combined PC for all existing farms identified within 5 km of the SSSI.

Initial screening using the ammonia screening tool version 4.6 has indicated that emissions from Scampston Pig Unit will only have a potential impact on SSSIs with a precautionary CLe of  $1\mu\text{g}/\text{m}^3$  if they are within XX metres of the emission source.

Beyond 1675m the PC is less than  $0.2\mu\text{g}/\text{m}^3$  (i.e. less than 20% of the precautionary  $1\mu\text{g}/\text{m}^3$  CLe) and therefore beyond this distance the PC is insignificant. In this case all SSSIs are beyond this distance (see table below) and therefore screen out of any further assessment.

Where the precautionary level of  $1\mu\text{g}/\text{m}^3$  is used and the PC is assessed to be less than 20%, the site automatically screens out as insignificant and no further assessment of CLo is necessary. In this case the  $1\mu\text{g}/\text{m}^3$  level used has not been confirmed by Natural England, but it is precautionary. It is therefore possible to conclude no likely damage to these sites.

**Table 4 – SSSI Assessment**

<b>Name of SSSI</b>	<b>Distance from site (m)</b>
Wintringham Marsh	3,355
River Derwent	4,075

### **Ammonia assessment - LWS**

The following trigger thresholds have been applied for the assessment of these sites:

- If the process contribution (PC) is below 100% of the relevant critical level (CLe) or critical load (CLo) then the farm can be permitted with no further assessment.

Initial screening using ammonia screening tool version 4.6 has indicated that emissions from Scampston Pig Unit will only have a potential impact on the LWS sites with a precautionary CLe of  $1\mu\text{g}/\text{m}^3$  if they are within 598 metres of the emission source.

Beyond 598m the PC is less than  $1\mu\text{g}/\text{m}^3$  and therefore beyond this distance the PC is insignificant. In this case all LWS are beyond this distance (see table below) and therefore screen out of any further assessment.

**Table 5 – LWS Assessment**

<b>Name of LWS</b>	<b>Distance from site (m)</b>
West Knapton Road Verge	1,842
Sandy Lane Fields	1,877
Scampston Fishponds	1,394

# Decision checklist

Aspect considered	Decision
<b>Receipt of application</b>	
Confidential information	A claim for commercial or industrial confidentiality has not been made.
Identifying confidential information	We have not identified information provided as part of the application that we consider to be confidential.
<b>Consultation</b>	
Consultation	<p>The consultation requirements were identified in accordance with the Environmental Permitting Regulations and our public participation statement.</p> <p>The application was publicised on the GOV.UK website.</p> <p>We consulted the following organisations:</p> <p>UK Health Security Agency (UKHSA) &amp; Director of Public Health (North Yorkshire County Council)</p> <p>Health and Safety Executive (HSE)</p> <p>Local Environmental Health Department (Ryedale District Council)</p> <p>The comments and our responses are summarised in the <a href="#">consultation section</a>.</p>
<b>Operator</b>	
Control of the facility	We are satisfied that the Applicant (now the Operator) is the person who will have control over the operation of the facility after the grant of the permit. The decision was taken in accordance with our guidance on legal operator for environmental permits.
<b>The facility</b>	
The regulated facility	<p>We considered the extent and nature of the facility at the site in accordance with RGN2 'Understanding the meaning of regulated facility'.</p> <p>The extent of the facility is defined in the site plan and in the permit. The activities are defined in table S1.1 of the permit.</p>
<b>The site</b>	
Extent of the site of the facility	The Operator has provided plans which we consider are satisfactory, showing the extent of the site of the facility. The plan is included in the permit.
Site condition report	The Operator has provided a description of the condition of the site, which we consider is satisfactory. The decision was taken in accordance with our guidance on site condition reports and baseline reporting under the Industrial Emissions Directive.
Biodiversity, heritage, landscape and nature conservation	<p>The application is within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat.</p> <p>We have assessed the application and its potential to affect all known sites of nature conservation, landscape and heritage and/or protected species or habitats identified in the nature conservation screening report as part of the permitting process.</p> <p>We consider that the application will not affect any sites of nature conservation,</p>

Aspect considered	Decision
	<p>landscape and heritage, and/or protected species or habitats identified.</p> <p>We have not consulted Natural England on the application but we have sent a Stage 1 Habitats Regulations Assessment for information only. The decision was taken in accordance with our guidance.</p>
<b>Environmental risk assessment</b>	
Environmental risk	<p>We have reviewed the Operator's assessment of the environmental risk from the facility.</p> <p>The Operator's risk assessment is satisfactory.</p>
<b>Operating techniques</b>	
General operating techniques	<p>We have reviewed the techniques used by the Operator and compared these with the relevant guidance notes and we consider them to represent appropriate techniques for the facility.</p> <p>The operating techniques that the Applicant must use are specified in table S1.2 in the environmental permit.</p> <p>The operating techniques are as follows:</p> <ul style="list-style-type: none"> <li>• The farm comprises three pig buildings.</li> <li>• There will be 100 pigs &lt;30kg and 4,903 pigs &gt;30kg (including 3 boars).</li> <li>• 100 pigs &lt;30kg will be housed on solid floor, straw-based accommodation; 700 pigs &gt;30kg (gilts) will be housed on solid floor, straw-based accommodation and housed in an existing gilt building on site. This house is naturally ventilated.</li> <li>• 4,200 pigs &gt;30kg will be housed in two newly-constructed fully-slatted buildings, where slurry is removed with a frequency of at least every 12 weeks and maintaining a slurry depth of no more than 800mm. These two buildings are ventilated by roof fans with an emission point higher than 5.5m above ground level and an efflux speed greater than 7 metres per second.</li> <li>• Manure is stored on a midden adjacent to the gilt house.</li> <li>• All manure produced is managed and utilised by a third party (this is already in place) and the slurry produced by the new finisher unit will be utilised and managed by Scampston Farming Co Ltd (the landowners). Slurry removal (exported off site by tanker) from the sites underground storage, will take place frequently to either be directly spread to Scampston land or exported offsite to a slurry storage facility managed by JSR Farms Limited, as the operators.</li> <li>• Uncontaminated roof water (and clean yard water) is collected via gutters and down pipes and is discharged to an attenuation pond acting as a soakaway to the east of the new finisher buildings, prior to discharge to a drainage ditch at the installation boundary. There are soakaways adjacent to the gilt house which receive uncontaminated roof water (and clean yard water) from gutters and down pipes.</li> </ul> <p>The proposed techniques for priorities for control are in line with the benchmark levels contained in the Sector Guidance Note EPR6.09 and we consider them to represent appropriate techniques for the facility. The permit conditions ensure compliance with relevant BREFs.</p>
Odour management	<p>We have reviewed the odour management plan in accordance with our guidance on odour management.</p>

<b>Aspect considered</b>	<b>Decision</b>
	We consider that the odour management plan is satisfactory.
Noise management	We have reviewed the noise management plan in accordance with our guidance on noise assessment and control.  We consider that the noise management plan is satisfactory.
<b>Permit conditions</b>	
Use of conditions other than those from the template	Based on the information in the application, we consider that we do not need to impose conditions other than those in our permit template.
Emission limits	We have decided that emission limits are required in the permit. BAT AELs have been added in line with the Intensive Farming sector BAT conclusions document dated 21/02/17. These limits are included in permit table S3.3.
Monitoring	We have decided that monitoring should be carried out for the parameters listed in the permit, using the methods detailed and to the frequencies specified.
Reporting	We have specified reporting in the permit.  We made these decisions in order to ensure compliance with Intensive Farming BAT conclusions document dated 21/02/17.
<b>Operator competence</b>	
Management system	There is no known reason to consider that the Operator will not have the management system to enable it to comply with the permit conditions.  The decision was taken in accordance with the guidance on operator competence and how to develop a management system for environmental permits.
Relevant convictions	The Case Management System has been checked to ensure that all relevant convictions have been declared.  No relevant convictions were found. The Operator satisfies the criteria in our guidance on operator competence.
Financial competence	There is no known reason to consider that the operator will not be financially able to comply with the permit conditions.
<b>Growth Duty</b>	
Section 108 Deregulation Act 2015 – Growth duty	We have considered our duty to have regard to the desirability of promoting economic growth set out in section 108(1) of the Deregulation Act 2015 and the guidance issued under section 110 of that Act in deciding whether to vary this permit.  Paragraph 1.3 of the guidance says:  “The primary role of regulators, in delivering regulation, is to achieve the regulatory outcomes for which they are responsible. For a number of regulators, these regulatory outcomes include an explicit reference to development or growth. The growth duty establishes economic growth as a factor that all specified regulators should have regard to, alongside the delivery of the protections set out in the relevant legislation.”  We have addressed the legislative requirements and environmental standards to be

<b>Aspect considered</b>	<b>Decision</b>
	<p>set for this operation in the body of the decision document above. The guidance is clear at paragraph 1.5 that the growth duty does not legitimise non-compliance and its purpose is not to achieve or pursue economic growth at the expense of necessary protections.</p> <p>We consider the requirements and standards we have set in this permit are reasonable and necessary to avoid a risk of an unacceptable level of pollution. This also promotes growth amongst legitimate operators because the standards applied to the Operator are consistent across businesses in this sector and have been set to achieve the required legislative standards.</p>

# Consultation

The following summarises the responses to consultation with other organisations, our notice on GOV.UK for the public, and the way in which we have considered these in the determination process.

## Responses from organisations listed in the consultation section

<b>Response received from</b>
UK Health Security Agency – Response received 15/07/22
<b>Brief summary of issues raised</b>
<p>The main emissions of potential public health significance are emissions to air of bioaerosols, dust including particulate matter and ammonia. Based on the remote location and the information contained in the application supplied to us, the UKHSA has no significant concerns regarding the risk to the health of the local population from the installation. We are satisfied that the measures proposed by the applicant are appropriate for mitigating risks and impact. However, while mention is made of the influence of the prevailing wind direction on dust and odour risks, details of where the weather data for the site was obtained is omitted. We would therefore recommend inclusion of a wind rose chart showing the distribution of wind speed and wind direction around the site over a period of time (with details of where weather data for the site is obtained).</p> <p>This consultation response is based on the assumption that the permit holder shall take all appropriate measures to prevent or control pollution, in accordance with the relevant sector guidance and industry best practice.</p>
<b>Summary of actions taken or show how this has been covered</b>
<p>The Environment Agency is satisfied following a review of the information provided by the Applicant, and the conditions present within the permit, that emissions of odour and noise from the Installation will not pose an unacceptable risk of pollution to the environment or harm to human health.</p> <p>To prevent significant emissions from the site the Operator has proposed appropriate measures to manage dust and bio aerosols - a generic risk assessment has been provided by the Operator, which incorporates dust as a potential risk from the site, together with a dust and bio aerosols management plan. This includes the use of appropriate housing design and management and appropriate containment of feedstuff. We are satisfied that these measures will appropriately mitigate emissions to prevent a significant impact from the site.</p> <p>Notwithstanding the above, Condition 3.2 of the environmental permit also deals with emissions of substances not controlled by emission limits. Under this condition, if notified by the Environment Agency that the activities are giving rise to pollution, the Operator must submit an emissions management plan which identifies and minimises the risks of pollution from emissions of substances not controlled by emission limits. Given these levels of control, we don't deem it necessary for the inclusion of a wind rose chart.</p>

The Director of Public Health (North Yorkshire County Council), Health and Safety Executive (HSE) and the Local Environmental Health Department (Ryedale District Council) were also consulted but no responses were received.